

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Claimant sustained a carpal tunnel injury as a result of an automobile accident on August 9, 1992. She here alleges that that injury was thereafter aggravated by her work as a bookkeeper for the respondent law firm. Respondent denies this claim and asserts that the carpal tunnel condition resulted solely from the automobile accident.

On the basis of the claimant's testimony as well as the medical reports introduced, the Appeals Board finds, for purposes of preliminary hearing, that the work for respondent did aggravate claimant's carpal tunnel condition. Claimant testified that she does a lot of handwriting preparing checks, 10-key calculating, computer work, and financial reports. She testified that the more she worked the more she hurt, that it was worse during busy times of the month and worse toward the end of the day. She was seen by Sharon McKinney, D.O., whose report states:

"It has been far enough after the accident at this time that her current problems are more attributable to the aggravation of her work situation than the original injury."

Claimant was also referred for treatment to Lynn D. Ketchum, M.D. His letter report states:

"It is my feeling since she had no symptoms prior to her car accident, the car accident was probably the inciting factor and it has been aggravated by her work."

On the basis of the record as a whole, including the above summarized evidence, the Appeals Board finds that claimant has, for purposes of preliminary hearing, sustained her burden of establishing that she suffered an aggravation to her carpal tunnel condition arising out of and in the course of her employment with respondent.

**AWARD**

**WHEREFORE**, it is the finding, decision and order of the Appeals Board that the Order of Administrative Law Judge James R. Ward dated March 4, 1994, is hereby affirmed in all respects.

**IT IS SO ORDERED.**

Dated this \_\_\_\_\_ day of May, 1994.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

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